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## 9. PERMISSION FOR USE OF THE CIA OFFICIAL SEAL

### 1. (U) OVERVIEW OF MANUSCRIPT FLOW

(U//~~ATUO~~) Following receipt of a manuscript, the Executive Secretary will create a manuscript file and folder following the process and details outlined below. Submissions will receive a prompt confirmation of receipt.

(U//~~ATUO~~) Upon the first submission of a manuscript by a former employee or contractor, the Administrative Assistant will create a "case file" that includes a copy of the author's biography (staff employees only) and secrecy and/or nondisclosure agreement(s). The Administrative Assistant will create a manuscript record in the PRB Database with a case number and pass the manuscript folder to the case assigner.

(U//~~ATUO~~) The case assigner will assign the manuscript review to a Team Lead/First Reviewer. The Team Lead will task the manuscript for review to any equity-holding parties and will record these reviewers to the database record. Following the Team Lead's review, the manuscript folder will be given to a Second Reviewer or placed in the "Second Reviewer Required" file for a second review.

(U//~~ATUO~~) When all responses have been received and recorded, the Team Lead will reply to the author and pass the manuscript folder to the Administrative Assistant for closeout in the PRB Database and for filing.

### 2. (U) CASE ASSIGNMENT PROCEDURES

#### A. (U) Opening Case and Initial Review

- (U//~~ATUO~~) Team Lead/First Reviewer takes the lead in handling, monitoring, processing, and finalizing the case until it is formally closed.
- (U//~~ATUO~~) Initial review and processing will take place within one business day (if possible) of the manuscript folder creation. This includes updating the PRB Database; tasking the review to a Board Member(s); tasking the review to a supervisor or Program Manager/COTR (as appropriate); and tasking the review to other USG entities as a "referral" if equities warrant.

#### B. (U) Minimum Review Standards

- (U//~~ATUO~~) The general rule is that all manuscripts will be formally reviewed by at least two staff members and by at least one Board Member – either having equity in the substance of the manuscript or by direct assignment.
  - ✓ (U//~~ATUO~~) Otherwise, manuscripts will be assigned to any (and all) Board member(s) based on the content of the manuscript. Other Board members, not initially assigned to a case, may personally request, or be asked by C/PRB, another Board member, or staff reviewer, to be included as part of the case review.

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- ✓ (U//~~AIUO~~) All assignees will be afforded the opportunity to provide substantive input during a manuscript review. In the event that multiple responses need to be reconciled/merged into a single, Board-consensus response, all assignees will be advised. During any necessary deliberations, while all assignees will have the opportunity to provide input and comment, the views of the equity-owning Board member regarding damage to national security and appropriateness for publication will be given greater weight. C/PRB will resolve all issues related to the identification of the appropriate equity-owning Board member and the reconciliation of differing points of view as necessary.
- (U//~~AIUO~~) Manuscripts by a current employee or contractor will be coordinated with the corresponding supervisor or Program Manager/COTR. For an academic manuscript, the Team Lead may determine if a second review is necessary when the manuscript will be approved for “academic use only.” The Team Lead will FYI the supervisor or Program Manager/COTR on the first academic manuscript submission. The supervisor or Program Manager/COTR will have the option of declining all subsequent academic manuscript reviews.
- (U//~~AIUO~~) Manuscripts dealing with legal or court issues (including court declarations) will be coordinated with the PRB Legal Advisor (unless “walled-off”).

#### C. (U) Timelines

- (U//~~AIUO~~) PRB will attempt to meet reasonable author deadlines. Short, time-sensitive manuscripts will be reviewed within a few working days. Moderate-sized manuscripts should be closed within 14 days. Book manuscripts should be closed within 30 days. When these timelines are not met, the Team Lead will provide a status update to the author.

#### D. (U) Responses to Authors

- (U//~~AIUO~~) All responses to authors will be coordinated and approved by either a PRB supervisor or C/PRB. This is especially true in unusual cases: i.e., where, due to time or staffing issues, the usual review standards have not been met (e.g., only one staff member has performed the review); the submission is from a high-profile author; the manuscript involves a highly-sensitive topic; the supervisor or Program Manager/COTR has not responded; or the PRB has not been able to respond to the author in a timely manner (a delayed response to the author).

#### E. (U) Folder Order

(U//~~AIUO~~) **APPROVALS** – When handing-off to Administrative Assistant – Order of items in the case folder (all correspondences are stapled if more than one page):

- Approval e-mail/letter/memo (2 copies) set sideways

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- Reverse chronological order for all responses
- Original tasking e-mail
- Biography of author (if applicable)
- Cover history of author (if applicable)
- Manuscript record from Access
- Author's original e-mail or letter to PRB
- Manuscript
- Any research (with a tab-labeled research)

**(U//~~AFUO~~) OBJECTIONS** – When handing-off to Administrative Assistant – Order of items in the case folder (all correspondences are stapled if more than one page):

- Objection letter/e-mail/memo (2 copies) set sideways
- Original letter and pages with black-outs goes to the author (if mailed, Administrative Assistant will show where to put it)
- Author copy of pages (only include pages with black-outs paper clipped or binder clipped together)
- Full text copy of pages (only include pages with yellow highlights paper clipped or binder clipped together)
- Reverse chronological order for all responses
- Original tasking e-mail
- Biography of author (if applicable)
- Cover history of author (if applicable)
- Manuscript record from Access
- Author's original e-mail to PRB
- Manuscript
- Any research (with a tab-labeled research)

### 3. (U) **CRITERIA FOR PREPUBLICATION REVIEW**

#### (U) Nonofficial Manuscripts

(U) Definition: A nonofficial manuscript is a personal (author-owned) manuscript to be handled as follows:

##### A. (U) **For Former Employees or Contractors**

- (U//~~AFUO~~) PRB Staff and equity-holding or other Board Member(s) will perform the review.

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- (U//~~AIUO~~) Review will be for classified information only.
- (U//~~FOUO~~) Manuscript will be tasked to other USG entities (as a “referral”) if equities warrant.

#### **B. (U) Current Employees and Contractors**

- (U//~~AIUO~~) PRB Staff and equity-holding or other Board Member(s) will perform the review.
- (U//~~AIUO~~) Supervisor or Program Manager/COTR will be tasked to review the manuscript. When the author is a directorate head or is head of a DIR Area office (CIO, OGC, OIG, OCA, HR, etc.), the supervisor (D/CIA) tasking is waived. When the author’s supervisor is head of a directorate or independent office or is an office director, cc: the supervisor only on the tasking.
- (U//~~AIUO~~) Review will be for classified information and for Agency appropriateness standard. (NOTE: appropriateness standard applies to independent contractors - using a sliding scale based on actual work performed - but does not apply to industrial contractors).
- (U//~~FOUO~~) Task to other USG agencies as a “referral” if equities warrant.
- (U//~~AIUO~~) Authors with staff or staff-like access are required to submit a Form 879 (Outside Activity Approval Request) to the Office of Security for any nonofficial publication - even if no PRB review is required. A Form 879 is not required for an academic paper if the Agency is funding the corresponding course work, or if an employee is part of a CIA-organized intern, co-op, graduate fellow, or congressional fellow program. However, if a paper for academic credit is to be published in an “outside-the-classroom” venue, a Form 879 is required.

(U//~~AIUO~~) **Note: Résumés, biographies, statements of purpose, summaries of agency employment, letters of recommendation, application forms/essays, co-op/intern reports or evaluations, engagement/wedding announcements, award nominations, obituaries, or any other description of employment history, background, credentials, attributes, or skills will be handled as follows:**

- Reviewed by Résumé Team.
- Coordinated with Board Members, Information Review Officers (IROs), and other USG agencies if equities warrant.
- Review by supervisor or Program Manager/COTR is not required.
- Form 879 is not required.

#### **(U) Official Manuscripts**

(U) **Definition:** An official manuscript is work-directed and is intended to be unclassified and for a general public audience. “Work-directed” means the manuscript is created for a government purpose, on government time, and with government resources. “General public audience” means other than Federal Government employees and contractors. Official manuscripts will be handled as follows:

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(b)(6)**(U) A. Official Manuscripts**

- (U//~~ATUO~~) PRB Staff will administer the case.
- (U//~~ATUO~~) Equity-holding IROs and the author's career service IRO will be tasked to review the manuscript. Also cc:  on all taskings for potential impact upon current litigation cases.
- (U//~~ATUO~~) Supervisor or Program Manager/COTR will be tasked to review the manuscript. When the author is a directorate head or is head of a DIR Area office (CIO, OGC, OIG, OCA, HR, etc.), the supervisor (D/CIA) tasking is waived. When the author's supervisor is head of a directorate or independent office or is an office director, cc: the supervisor only on the tasking.
- (U//~~ATUO~~) Review will be for classified information and for the Agency appropriateness standard.
- (U//~~FOUO~~) Task to other USG agencies as a "referral" if equities warrant.
- (U//~~ATUO~~) Inform OPA as an "FYI" if warranted.

**(U//~~ATUO~~) B. Manuscripts Intended for a Federal Government-only Audience (Staff and Contractors) or Manuscripts Intended to Contain FOUO Material and to be Marked "UNCLASSIFIED//FOUO"**

- (U//~~ATUO~~) Refer author to directorate IRO for review and approval.

**(U//~~ATUO~~) C. Official Manuscripts as a Referral From the Office of the Director of National Intelligence (ODNI) or from another USG agency**

- (U//~~ATUO~~) Official ODNI manuscripts are referred to the CIA via a Director's Action Center (DAC) request. Once IMS receives the request, it will be assigned to an appropriate IRO for review. (NOTE: PRB is not usually involved in these reviews).
- (U//~~ATUO~~) Official manuscripts from any other USG entity (an official publication of the USG entity on a topic) should be sent directly to the Information and Privacy Coordinator to coordinate the review with appropriate IROs.

**(U//~~ATUO~~) D. Portfolio Material (Guidance on the Personal Use of Official Government Property)**

(U//~~ATUO~~) The following guidelines, which are derived from OGC ethics guidance, concern the personal use of officially produced graphic design items. When graphic design material is confirmed by the requester to fall under EXCEPTIONS #2 or #3 below, since the material is considered to be government property, the review should be handled as "official" and tasked to an appropriate IRO. However, since the graphic

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design material is to be used for a nonofficial, publication purpose, a Form 879 is required.

**(U) GENERALLY, ITEMS CANNOT BE USED:**

(U//~~AIUO~~) Employees (and, in certain circumstances, contractors) cannot use an item for a personal purpose, gain, or other benefit (not just financial), if the item is considered to be Agency property. Using the graphic design item as part of a personal portfolio would benefit an employee or contractor in a personal capacity as it could be used to obtain outside employment, compensation, or other recognition. Therefore, as the graphic design is considered to be government property, it may not be used for any personal purpose, and it is not appropriate for PRB review at this time.

(U) However, there are exceptions to this general rule:

**(U) EXCEPTION #1 (OFFICIALLY RELEASED MATERIAL):**

(U//~~AIUO~~) One is free to use an item for a personal purpose (e.g., portfolio) if it was provided by the Agency to groups/individuals outside of the Agency without stipulating any restriction on its use. Although still government property, the item's release by the Agency into the public domain renders it usable as part of anyone's personal portfolio. However, mere "exposure" of the material in Agency space to the general public is not the same as being released into the public domain by the Agency. If there is information that confirms that the Agency has officially made the graphic design item, handout, brochure, or map available without restriction to the general public, no PRB review is required.

**(U) EXCEPTION #2 (MATERIAL INTENDED/SUITABLE FOR OFFICIAL RELEASE):**

(U//~~AIUO~~) The PRB will review a draft graphic design item, handout, brochure, or map for a personal use or purpose (e.g., portfolio), if information can be provided to the PRB that confirms that the Agency intended to officially make the graphic design item available without restriction to the general public, although it did not finalize the product or make it available to the general public. This confirmation should be sent in a note to PRB with a cc: of the supervisor or Program Manager/COTR. The PRB will review the item(s) for classified information and for appropriateness.

**(U) EXCEPTION #3 (CONTRACTOR-OWNED MATERIAL):**

(U//~~AIUO~~) The PRB will review a draft graphic design item, handout, brochure, or map for a personal use or purpose (e.g., portfolio), if information can be provided to the PRB that confirms that the terms of the contract with the Agency specifically allows the requester (or requester's company) to control, or retain some level of intellectual property rights to the material. This means that the property created under the contract is not the U.S. Government's (though it may be used by the USG), but rather is owned by the contractor. When it comes to items that are controlled by statute (e.g., the Agency Seal), the statute controls its use.

**4. (U) MISCELLANEOUS**

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~~SECRET//CIA INTERNAL USE ONLY/NOFORN~~**(U//~~ATUO~~) A. Studies in Intelligence Articles**

- CSI Editorial Board selects unclassified articles and forwards them to PRB.
- Standard review for a nonofficial manuscript except no Form 879 required.
- Reply to CSI Editor - not the author.

**(U//~~ATUO~~) B. Office of the Associate Director for Military Affairs (ADMA) Faculty Representatives to Department of Defense Post-Secondary Educational Institutions (Military Academies, Command Schools, Senior Schools, etc.)**

(U//~~ATUO~~) Recognizing the need for ADMA faculty members to exercise a reasonable amount of academic freedom in their positions, and assuming that ADMA will provide overall management and oversight of the program and will review and approve all faculty presentations and materials, PRB review is not required (but such material may be submitted to the PRB for review – no Form 879 required). Academic materials include all syllabi, outlines, briefing slides, handouts, etc. intended exclusively for in classroom use. Such use includes these scenarios:

1. Block courses (core courses) approved by ADMA management and taught at the assigned institution.
2. Elective courses (specialized courses) approved by ADMA management and taught at the assigned institution.

(U//~~ATUO~~) PRB review is required for manuscripts intended for use outside the assigned institution (even if for an event sponsored by the institution or if part of the institution's outreach efforts). This includes proposed briefings, presentations, speeches, media contacts, interviews etc. If PRB review is required, the standard manuscript review process is followed to include tasking of the Agency supervisor and submission of a Form 879.

**(U//~~ATUO~~) C. Reserve Cadre**

- (U//~~ATUO~~) Involves NCS contractors who perform work-directed duties irregularly.
- (U//~~ATUO~~) Standard nonofficial manuscript review process is followed but no Program Manager/COTR tasking.
- (U//~~ATUO~~) Form 879 required only if contractor has staff-like access.

**(U//~~FOUO~~) D. Office of the Director of National Intelligence (ODNI) (DNI-Pre-Pub)**

- (U//~~FOUO~~) CIA employees and CIA contractors assigned or detailed to the ODNI submit nonofficial manuscripts to their home agency (CIA) for review. ODNI employees assigned or detailed to CIA submit manuscripts to CIA for review (as any assignee or detailee to CIA would).
- (U//~~FOUO~~) Direct ODNI employees and direct ODNI contractors submit nonofficial manuscripts to the ODNI for review. Former CIA employees or contractors who are now direct employees or direct contractors of the ODNI

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submit nonofficial manuscripts to the ODNI for review. ODNI will share the manuscripts with the CIA as a referral if equities warrant.

- (U//~~FOUO~~) All official manuscripts by direct employees or contractors of the ODNI and by anyone assigned or detailed to the ODNI are submitted to the ODNI for review. If equities warrant, ODNI will refer the manuscript to IMS via a Director's Action Center (DAC) tasking.
- (U//~~FOUO~~) If an author is a former CIA employee or CIA contractor and is a former ODNI employee or ODNI contractor, manuscripts should be submitted to the CIA. The PRB will make a note of this in its database and will share the manuscript with ODNI as a referral (ODNI wants to review all manuscripts by former ODNI employees only - optional for former ODNI contractors).

(U//~~FOUO~~) **E. Senate Statements or Manuscripts by Current or Former SSCI Staff Employees**

- Usually submitted to CIA from the SSCI Security Director [redacted]
- Follow standard review procedures but Senate statements are given very high priority.
- For current and former SSCI staff employees, inform SSCI of PRB review decision. SSCI will then inform PRB of its review decision and will indicate if it wants PRB to respond directly to the author. NOTE: PRB will only respond to an author regarding CIA equities. In the course of its review, if PRB identifies equities of another USG agency that could rise to the level of requiring review, PRB will inform SSCI of this fact in the PRB response and identify the pages or sections containing these equities if possible. It will be the responsibility of SSCI to share the manuscript with any other equity holding agency and to coordinate a response to the author regarding these equities.
- cc: [redacted] Office of Congressional Affairs (OCA) on all e-mails to the SSCI and author. OCA receives a copy of all hardcopy communications PRB conducts with the SSCI and author.
- A case file is created for all SSCI staff employees that includes a copy of the signed secrecy or nondisclosure agreement.

(b)(6)

(b)(3) CIAAct  
(b)(6)

(U//~~FOUO~~) **F. Office of Congressional Affairs (OCA)** occasionally submits items from Congress for PRB review.

- [redacted]

(b)(3) CIAAct  
(b)(6)

(b)(3) CIAAct  
(b)(3) NatSecAct

(U//~~FOUO~~) **G. National Security Council (NSC)**

- Manuscripts by the following CIA authors should be shared with the NSC due to having been assigned or detailed to the NSC.

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(b)(6)**(U//~~FOUO~~) H. Office of General Counsel (OGC) Current Employee Submissions**

- Manuscripts by current OGC officers, both official and nonofficial, need to be reviewed and approved by the OGC Management Committee. This should be done before submission to PRB for review. If this step has not been completed, the submitter should be reminded that it must be reviewed and approved by the OGC Management Committee before PRB will take action. If timing is extremely tight, PRB processing can be initiated and input requested directly from the submitters supervisor and provisional approval provided based on eventual OGC Management Committee approval.

**(U) I. Post-publication Reviews**

(U//~~FOUO~~) A “post-pub” review is usually conducted for a manuscript that required pre-publication review, but was not submitted by the author before it was published. A post publication review is also sometimes conducted for manuscripts not subject to a prepublication review requirement, such as reviews of transcripts of unprepared/extemporaneous oral remarks by former personnel and contractors, or manuscripts by persons who signed secrecy agreements to protect classified information, but the agreements did not have a prepublication review requirement.

(U//~~FOUO~~) If the author submits a manuscript after it was shared with a limited number of persons, but the possibility exists for the PRB to influence the final version that will be disseminated to the wider public or media, it will be processed as a standard review rather than a post-pub review. In either case, the reviewer will identify any inappropriate material if applicable, as well as classified material with the SCG citation and sensitivity level.

(U//~~FOUO~~) If the author had a prepublication review obligation, but has communicated information to one or more persons prior to receiving PRB approval to disseminate the information, the author has violated his prepublication review requirement. Therefore, almost all post-pub reviews are also non-compliance cases with the exception being for manuscripts not subject to a prepublication review requirement, such as reviews of transcripts of unprepared/extemporaneous oral remarks by former personnel and contractors, or manuscripts by persons who signed secrecy agreements to protect classified information, but the agreements did not have a prepublication review requirement. In cases where the reviewer has learned the author has not complied with pre-publication requirements, the reviewer will determine if the author has previously failed to comply with prepublication requirements. This information should be added to the case file cover sheet at the end of the manuscript title: “(Post-pub Review and Non-compliance 1, 2, 3, 4, 5, etc.)” as applicable. Following review, the case is given to the DS Board Member who will handle the noncompliance process as indicated below.

**(U) J. PRB -- Independent Contractor (IC) Handling Procedures**~~SECRET//CIA INTERNAL USE ONLY/NOFORN~~

~~SECRET//CIA INTERNAL USE ONLY/NOFORN~~**(U//~~ATUO~~) Initial Incoming Manuscript Submission from IC–****1.a. (U//~~ATUO~~) Contact Office of Security (OS)**

(U//~~ATUO~~) **PRB Executive Secretary** will check with OS to determine if the IC submitter is [ ] contract that will allow for an immediate acknowledgement from PRB

(b)(3) NatSecAct

**1.b. (U//~~ATUO~~) Contact the Office of Procurement Executive (OPE)**

(b)(3) NatSecAct

(b)(3) CIAAct

(U//~~ATUO~~) Concurrently, **PRB Executive Secretary** will check with OPE

[ ] for a [ ]  
[ ] and to get the names of the Contracting Officer (CO), Contracting Officer's Technical Representative (COTR), and Program Manager (PM) for the specific contract.

(b)(3) NatSecAct

**2. (U//~~ATUO~~) PRB Acknowledgement to IC**

(b)(3) NatSecAct

(U//~~ATUO~~) Once [ ] is confirmed (either through OS or OPE), **PRB Executive Secretary** will reply to IC submitter acknowledging manuscript and advising of potential limitations regarding public activities that may be covered under IC contract – *IC Acknowledgement Letter* – and advise that IC should contact his/her Contracting Officer for further contract details and limitations and to determine if a waiver is appropriate. Additionally, the IC will be asked to provide or verify the names of their CO, COTR, and PM [ ]. Finally, IC will be advised that PRB will not start the substantive review of the manuscript unless and until we are notified by the IC's CO that the publication or presentation is allowable under the terms of the IC's contract.

(b)(3) NatSecAct

(U//~~ATUO~~) **NOTE:** PRB may administratively decide – based on the currency, length, type, etc. of the submission – to begin an immediate substantive review of the manuscript/presentation/resume, but may withhold responding to the author on the substance until after some/all of the contractual issues are resolved.

**3. (U//~~ATUO~~) Contact CO**

(U//~~ATUO~~) The **PRB Executive Secretary** will send a note to the IC's CO (cc: COTR, PM, OPE, PRB Legal Advisor) requesting basic contract information – *IC Tasking Note to CO*:

--Verify type of contract – IC or industrial

(b)(3) NatSecAct

--Is contract currently in force – expiration date of contract

--Verify if contract is [ ]

**--\*\*is Publicity/Media clause in contract and does it apply in this case?\*\***

•if contract limits publication/activity, will CO request a waiver (to include approval by OPE Panel, OPA, and ExDir)

•if a waiver is to be requested, the CO will notify the IC of that fact

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•the CO will notify the IC, the PRB, OPE, PM, COTR, PRB Legal Advisor when a waiver has been approved or denied  
 --A copy of manuscript will be attached (b)(3) NatSecAct

(U//~~AIUO~~)  and that the CO will also be required to communicate with the IC regarding any PRB-related issues.

4. (U//~~AIUO~~) **Response from CO and PRB Legal Advisor Concurrence**

(U//~~AIUO~~) The response from CO – either that the IC has no contractual provisions that preclude the planned publication or activity or that a contractual waiver is being pursued, granted, or denied -- will be forwarded to the **PRB Legal Advisor** (unless cc:ed on original response note). If **PRB Legal Advisor** concurs with CO's plan of action, a note stating such will be sent to **PRB Executive Secretary**. The **PRB Executive Secretary** will take no action until advised by the **PRB Legal Advisor**.

5. (U//~~AIUO~~) **Case Administratively Closed or Case Assigned to Lead Reviewer**

(U//~~AIUO~~) If the CO determines that the publication or planned activity violates the IC's contract and that a waiver will not be granted (and has conveyed that decision to the IC), the **PRB Executive Secretary** will close the case and notify the IC.

(U//~~AIUO~~) If the publication or planned activity has been approved (or a waiver granted), then the **PRB Executive Secretary** will formally put the case into process (if not assigned earlier) for a substantive review.

6. (U//~~AIUO~~) **Lead Reviewer's Substantive Review**

(U//~~AIUO~~) The **Lead Reviewer** will undertake a typical review of the submission (except that the CO will not be required to answer/address the usual contract question (from PRB's template request for COs).

(U//~~AIUO~~) Once the substantive review has been completed, depending on the specific circumstances of the case (related to the currency, length, type, etc. of the submission), PRB may provide a "provisional approval" -- pending completion and approval of an Outside Activity Approval Request and the granting of a contractual waiver – based on a review of the substance of the piece.

(b)(3) NatSecAct

**(U) 5. AUTHOR BACKGROUND CHECKLIST**

(U//~~AIUO~~) Cover Check (if information in  requires clarification)

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 (b)(3) NatSecAct

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**(U//~~ATUO~~) Secrecy and Nondisclosure Agreements**

(b)(3) CIAAct  
(b)(3) NatSecAct  
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(U//~~ATUO~~) (NOTE: The PRB does not provide copies of secrecy and nondisclosure agreements to requesters. A Privacy Act request must be submitted to obtain a copy of these documents).

**(U//~~ATUO~~) Clearances and Accesses**

(b)(3) CIAAct  
(b)(3) NatSecAct

**(U//~~ATUO~~) Templates:**

Please advise if subject with AIN # or SS# xxxxxxxxxx (no dashes) is any of the following:

**1. Current contractor (yes or no):**

If yes:

a. Independent contractor or industrial contractor:

b.  (b)(1)  
(b)(3) NatSecAct

c. Staff-like access (yes or no):

d. Directorate and office sponsoring clearances/accesses:

**2. If any clearances/accesses are or were held other than SI/**   
**please provide details:**

**3. Immediate need (within 24 hours) (yes or no):**

(b)(3) NatSecAct

If yes, provide justification of immediate need:

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(b)(3) NatSecAct

**(U) 6. SECURITY ISSUES****(U//~~ATUO~~) Office of Security/**  **– Form 879 (Final Concurrence)**

- Authors with staff or staff-like access are required to submit a Form 879 (Outside Activities Approval Request) to the Office of Security for any nonofficial publication or speech/presentation – even if no PRB review is required. A Form 879 is not required for an academic paper if the Agency is funding the corresponding course work, or if an employee is part of a CIA-organized intern, co-op, graduate fellow, or Congressional Fellow program. However, if an academic paper is to be published in an “outside-the-classroom” venue, a Form 879 is required.

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**(U) Sharing a manuscript with “co-author”**

(U//~~ATUO~~) In cases where the PRB becomes aware that the author has shared a manuscript with someone not authorized to see it (e.g., a co-author’s name being listed within the book or article, another person copied on the email sent to the PRB, the author mentioning a ghost-writer, editor, etc. being used in the drafting of the document), the PRB will immediately notify the PRB’s Legal Advisor and DIU of the known circumstances (who the co-author is, whether he/she has/had and Agency connection, does the manuscript contain classified information, etc.). Additionally, after the PRB has concluded its review – but prior to responding to the author -- the PRB will notify the PRB’s Legal Advisor and DIU of the results of the PRB’s review (whether classified information was contained within the manuscript or not, or whether the author, while not revealing classified information, did not follow the Agency’s pre-publication review procedures) and the PRB’s proposed plan of action/response to the author. In all cases where classified material has been divulged, OS/DIU will handle as they deem appropriate.

**(U) Non-compliance cases** (see 4. Miscellaneous, I. Post-publication Reviews, above)

(U//~~ATUO~~) In cases where the PRB determines that the author did not comply with pre-publication review requirements (e.g., publishing the manuscript prior to PRB approval, sharing the manuscript with a “co-author” prior to PRB review, etc.), following review, the non-compliance case will be given to the DS Board Member to report the results of PRB’s review (whether classified information was contained within the manuscript or not or whether the author, though not revealing classified information, did not comply with his prepublishment review obligation) to Office of Security/  (OS/ ) (cc: PRB Legal

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Advisor) For complex or unique cases such as letters to authors who have been in litigation with the agency, e.g., were involved in PRB related litigation such as a “Snepp” action, pled guilty to disclosing or mishandling classified information, or for authors who did not sign the standard agency secrecy agreement, DS Board Member will coordinate such letters with PRB legal advisor.

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(U//~~FOUO~~) Per agreement with OS [redacted], in cases where a prepublication obligation applies, the PRB (DS Board Member) PRB will send a non-compliance letter to the author in the first case of non-compliance. The non-compliance letter will remind the author of the legally binding prepublication review requirement and the need for PRB approval prior to communicating information to anyone not authorized by CIA to receive it. The letter will also clearly articulate whether the PRB identified classified information within the manuscript and the PRB’s obligation to notify the offices of Security and General Counsel in cases of failure to comply with a prepublication obligation. In all cases where classified material has been divulged as well as the second and subsequent cases of non-compliance involving current employees, where no classified material was found, the DS Board Member will notify OS/[redacted] (cc: PRB Legal [redacted] (b)(3) Advisor) for any additional action as OS deems appropriate. PRB will notate its file but [redacted] a NatSecAct PRB legal advisor will not be advised of the second and subsequent cases of non-compliance involving former employees, where no classified material was found.

**(U) 7. COVER ISSUES**

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- [redacted]
- cc: [redacted]
- cc: [redacted]
- cc: [redacted]

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## **9. (U//~~ATUO~~) PERMISSION FOR USE OF THE CIA OFFICIAL SEAL**

(U//~~ATUO~~) The PRB does not provide permission for use of the CIA official seal. All requests should be referred to OGC/ALD which will coordinate with the Office of Security and provide a response to the requester.



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